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November 23, 2005

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth St., SW  
Washington, DC 20554

**RE: E-911 Requirements for IP-Enabled Service Providers, WC Docket No. 05-196; IP Enabled Services, WC Docket No. 05-196**

Dear Ms. Dortch:

I am writing on behalf of NetLojix Telecom, Inc. ("NetLojix"), a reseller of managed Voice over Internet Protocol ("VoIP") services on a retail basis to end-user subscribers. The purpose of this letter is to provide a compliance report on the status of NetLojix's implementation of E-911 service, as required by the First Report and Order in the above-captioned proceedings, FCC 05-116, 20 FCC Rcd 10245 (released June 3, 2005) ("*Order*"); Public Notice, "Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters", WC Docket Nos. 04-36, 05-196, DA 05-2945 (released Nov. 7, 2005) ("*Public Notice*"). This letter provides background information about NetLojix, and then responds to each of the specific information requests outlined in the *Public Notice*.

### **Background on NetLojix Telecom**

NetLojix provides service on a retail basis directly to end-user subscribers. NetLojix is a reseller of New Global Telecom's ("NGT") managed VoIP services. NGT is the market leader for wholesale hosted enterprise VoIP, having an estimated 26% share of the market (based upon an aggregation of NGT customers' end users).

Prior to the effective date of the *Order*, NetLojix has been providing its customers access to 911-type services through NGT. NetLojix has provided notice of the limitations of its 911-type services to all of its customers, both new and existing, pursuant to ¶ 48 of the *Order*. 1/

1/ These limitations include the unavailability of 911 services to end-user subscribers whose assigned telephone numbers are outside of the geographic rate center associated with such telephone number, to end-user subscribers that relocate their VoIP calling devices locations away from the registered subscriber location associated with such telephone number; and to subscribers that fail to provide timely updates to their location information as required to enable that information to be registered in the relevant databases. In addition, the 911 services supported by NGT's platform are not available in the event of (i) an outage, degradation or other disruption of electric power at the subscriber location (ii) an outage, degradation or other disruption of the subscriber broadband Internet connection (iii) a suspension of an account as a result of nonpayment or other material breaches. In addition, pending the development of E-911 services as discussed below, the limitations include a disclosure that some 911 calls will terminate to a general or administrative line, that such calls may or may not be answered by operators

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NetLojix timely received affirmative acknowledgements from 100% of its customers on or before July 29, 2005, and therefore did not file for an extension with the FCC. NetLojix requested and received acknowledgement from 100% of its customers of: (i) informing them of the 911 limitations of the VoIP services provided over NGT's platform; (ii) obtained and retained acknowledgements of receiving and understanding this information; and (iii) distributed warning stickers or other appropriate labels warning subscribers of the 911 limitations.

NGT has notified NetLojix that it is committed to implementing the *Order's* requirements, since having a fully functional E-911 service in the United States is essential not only for commercial reasons, but to promote public safety. At the end of 2004 NGT contracted with Intrado, becoming its second customer for its nomadic Virtual E-911 solution. This enabled NGT to begin developing a more robust and functional E-911 service for its wholesale VoIP provider customers.

After the *Order* was released, NGT and Intrado began reworking the E-911 solution in order for their service provider customers to be able to comply with the *Order*. This has been a very difficult and time-consuming process, and NGT has dedicated a team, including members of its senior management, to work with Intrado on an E-911 solution.

**1. Description of NGT's E-911 Solution.**

NGT's "SafeCall® E-911 Service" primarily utilizes Intrado's network capabilities, but will also utilize services provided by other Emergency Service Gateway Providers (ESGWs) to provide a compliant E-911 service for VoIP 911 calls. NGT will be able to provide its service provider customers with SafeCall® E-911 services to facilitate fully compliant E-911 connectivity to those PSAPs where NGT via its underlying providers have the necessary access to the PSAPs. The Public Notice includes several bulletpoints specifying the information that the VoIP providers must submit in their Compliance Letters. *Public Notice* at 3-4. The first of these bulletpoints requires information regarding the percentage of subscribers to whom the provider is able to provide 911 service in compliance with the rules established in the *Order*. As of November 28, 2005, NetLojix has fully compliant E-911 service available for approximately 30% of current VoIP end-users due to the limitations of NGT's current coverage area, however these VoIP end-users will have access to NGT's SafeCall® Operator Assisted 911 Service, an alternative form of 911 service. NGT has developed the capability and will provide (on an interim basis and only until E-911 is fully implemented in those areas) an emergency operator-assisted 911 service – known as SafeCall® Operator Assisted 911 Service – in which 911 calls include the call-back number and the actual Registered Location that a subscriber has provided. Specifically, 911 calls placed by subscribers with Registered Locations within the United States, but outside the geographic area where NGT has deployed fully-compliant E-911 service, would be routed to an emergency call response center ("ECRC"). The ECRC would have operators

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specifically designated to receive the incoming 911 call, and that there may be a greater possibility that the general or administration line may produce a busy signal or will take longer to answer or not be answered at all.

standing by 7 days a week, 24 hours a day, with access to the subscriber's Registered Location and call back number. The ECRC would then provide a "soft transfer" of the 911 call to the appropriate 911 dispatcher or, potentially, to a local exchange telephone line of the geographically appropriate PSAP. The ECRC could then communicate the Registered Location and call back number prior to transferring the actual call, in case the caller cannot. This number will be reduced as NGT expands the geographic areas served by its SafeCall® E-911 services.

**a. 911 Routing Information/Connectivity to Wireline E-911 Network.**

The first sub-bullet under the first main bulletpoint in the *Public Notice* requires a statement as to whether the provider is transmitting 911 calls to the appropriate PSAP (or other appropriate destinations) using the Selective Router, the trunk lines between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary. NGT will be able to provide NetLojix with SafeCall® E-911 services to facilitate fully compliant E-911 connectivity to those PSAPs where NGT via its underlying providers has the necessary access to the PSAPs.

NGT expects that over 99% of the VoIP-originated 911 calls over NGT's SafeCall® E-911 Service within NGT's E-911 coverage area ("Coverage Area") are transmitted via the appropriate Selective Routers and other components of the Wireline E-911 Network (the remaining VoIP-originated 911 calls are transmitted via the PSTN using SafeCall® Operator Assisted 911 Service due to limitations in PSAP capabilities).

The *Public Notice* also directs providers to quantify the number of Selective Routers to which it has interconnected, directly or indirectly, as of November 28, 2005. As of that date, our provider, NGT is interconnected with 150 Selective Routers and 2500 PSAPs, via its relationships with Intrado and other ESGWs.

**b. Transmission of ANI and Registered Location Information.**

The second sub-bullet point in the *Public Notice* requires detailed information on whether the provider is transmitting the 911 callers' ANI and Registered Locations to all answering points that are capable of receiving and processing this information. In order to implement SafeCall® E-911 Service, NetLojix is making the utmost effort to obtain and validate Registered Locations for every existing end-user VoIP subscriber. As required by the *Order*, all 911 calls from those subscribers will then be routed either via Selective Routers over dedicated lines or via the PSTN directly (for those PSAPs not utilizing 911 Selective Routers) to the appropriate PSAP for the subscriber's Registered Location along with the call-back number and location information (to the extent that the PSAP is capable of receiving and utilizing location information). NetLojix's efforts to obtain Registered Location information are discussed below.

The second sub-bullet also requested the following: (i) the percentage of PSAPs capable of receiving and processing ANI and Registered Location information; (ii) the percentage of end-

user subscribers whose ANI and Registered Location are being transmitted when they place E-911 calls; and (iii) an explanation of why the provider is not transmitting the 911 caller's ANI and Registered Location to all PSAPs that are capable of receiving and utilizing location information, to the extent it is not able to do so. In response, NGT has submitted to NetLojix the following:

- Item (i): NGT respectfully submits that it lacks the information needed to respond because, as noted above, NGT depends on Intrado and other ESGWs for connectivity to Selective Routers, and does not have direct information regarding the percentage of PSAPs that are capable of receiving and processing ANI and Registered Location information.
- Item (ii): NGT respectfully submits that it lacks the information needed to respond because NGT depends on Intrado and other ESGWs for connectivity to Selective Routers, and does not have direct information regarding the percentage of PSAPs that are capable of receiving and processing ANI and Registered Location information. However, as stated above, as of November 28, 2005, NGT expects to have fully compliant SafeCall® E-911 service available for approximately 70% of its customers' current VoIP end-user subscribers and NGT expects that over 99% of the VoIP-originated 911 calls over NGT's SafeCall® E-911 Service within the Coverage Area are transmitted via the appropriate Selective Routers and other components of the Wireline E-911 Network (the remaining VoIP-originated 911 calls are transmitted via the PSTN using SafeCall® Operator Assisted 911 Service due to limitations in PSAP capabilities).
- Item (iii): As of November 28, 2005, NGT's SafeCall® E-911 Service is transmitting the 911 caller's ANI and Registered Location to all PSAPs in its Coverage Area that are capable of receiving and utilizing location information.

c. **911 Coverage.**

The third sub-bullet in the *Public Notice* requires the submission of information regarding the areas in which the provider is in full compliance with the *Order* and where it is not, as well as its plans for coming into full compliance, including its anticipated timeframes.

Since NetLojix is an NGT reseller and is not directly involved in becoming compliant, our answer to this is the response that we have received from NGT. As of November 28, 2005, NGT is able to provide fully-compliant SafeCall® E-911 Service in 2,081 rate centers in 31 markets. This converts into being interconnected to 150 Selective Routers and 2500 PSAPs, most of which are capable of receiving ANI and Registered Location information. By January 2006, NGT expects to be interconnected to an additional 30 Selective Routers and 1000 PSAPs for an additional 1,781 rate centers in 20 additional markets. By March 2006, this coverage is

expected to increase to a total of 250 Selective Routers and 4000 PSAPs, and 400 Selective Routers by June 2006. In terms of population, NGT shall be able to make available fully compliant SafeCall® E-911 Service in areas covering 60% of the population as of November 28, 2005. The remaining coverage area is being prioritized with the expected roll-out to 70% coverage of the domestic US population by end of the year and between 80-85% coverage by the end of June 2006. The remaining 15% are locations where the PSAPs either do not support E-911 (5%), making SafeCall® unavailable in these locations (NGT will support basic or other 911 processes that these locations offer) or are in areas currently not scheduled for E-911 coverage until after June, 2006 and where NGT will not provide VoIP services until such E-911 coverage is available.

NGT fully realizes the importance and necessity to expand the Coverage Area for its SafeCall® E-911 Service. NGT and Intrado are working diligently to increase the coverage area for E-911 services. Intrado has released information that it has contracted with Qwest, SBC, and Verizon, and is currently working with other ESGW providers to enhance its own coverage. NGT is also independently working with other ESGW providers, as well some of NGT's CLEC customers to provide additional coverage for SafeCall®.

**2. Obtaining Initial Registered Location Information.**

The second main bullet point in the *Public Notice* requests detailed information on actions the provider has taken to obtain existing subscribers' current Registered Location and new subscribers' initial Registered Location, including dates, methods of contact, and percentages of subscribers from whom such information has been obtained. NetLojix has made it a policy with its customers that all end-user subscribers in the United States who will be utilizing SafeCall® E-911 Service must have an initial valid Registered Location.

**3. Obtaining Updated Registered Location Information.**

The third main bullet point requires information on methods by which end-user subscribers can update their Registered Locations. NetLojix enables our customers to dial an 800 number or send an e-mail into a help desk in order to update their Registered Location to a valid postal address within NGT's Coverage Area.

**4. Technical Solution for Nomadic Subscribers.**

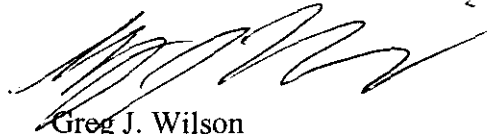
The fourth bullet in the *Public Notice* seeks a detailed description of the provider's technical solutions to ensure that subscribers have access to 911 service whenever they use their service nomadically. As noted above, the end-user has the ability to update their Registered Locations, and if they provide new Registered Locations within the Coverage Area for NGT's SafeCall® E-911 Service, they will have access to E-911 functionality that is fully compliant with the *Order*. However, if end-user subscribers update their Registered Locations to domestic U.S. locations outside NGT's Coverage Area, NetLojix will suspend Voice Services

**Additional Information Regarding NetLojix's Compliance Plan.**

As required by the *Order*, prior to November 28, 2005 NetLojix plans to stop making available Voice Services for its customers to activate new end-user subscribers in areas outside the Coverage Area of fully compliant E-911 services. However, consistent with the AT&T, MCI, and Verizon compliance plans that the *Public Notice* "applauds" (at 5), NetLojix will continue providing service to pre-existing end-user subscribers with initial Registered Locations outside of NGT's Initial E-911 Coverage Area. NetLojix will grandfather only these existing subscribers in these specific locations so that they can continue to use the Voice Services from their initial registered location while NGT diligently works to expand SafeCall® E-911 coverage into these areas. For these existing customers, NetLojix through NGT will provide SafeCall® Operator Assisted 911 Service for the initial Registered Location that is outside of NGT's initial E-911 Coverage Area. This operator-assisted 911 service, while not equivalent to fully-compliant E-911 service, is a far better approach for subscribers than simply cutting off VoIP service, sending a call to the correct PSAP without Registered Location information or routing 911 calls to the wrong PSAP.

If you have any questions or need any further information, please contact the undersigned.

Respectfully submitted,



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